UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 15-0202 AG (JCGx)	Date	September 22, 2016
Title	AFROUZ NIKMANESH v. WAL-MART STORES, INC.		

Present: The Honorable	ANDREW J. GUILFORD

Lisa Bredahl	Not Present	
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:

Proceedings: **[IN CHAMBERS] ORDER CONTINUING PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

The Court had previously continued the motion to certify the class in this case to September 26, 2016 in hopes of avoiding unnecessary briefing on some claims that may have settled. (Dkt. No. 109.) Now, there is a pending motion for approval of a class action settlement ("Motion for Approval") for some of Plaintiffs' claims, which will be heard on October 17, 2016. But there is also a pending motion for class certification, which includes some of the now potentially settled claims, scheduled to be heard on September 26, 2016.

The Court will first hear and rule on the pending Motion for Approval. If the settlement is approved, then Plaintiffs should file another motion for class certification that does not include the settled claims. Extensive briefing has already been done by both parties on the class certification motion. So the Court does not anticipate either side requiring a large amount of time to make some changes on their briefing based on the Court's upcoming ruling on the Motion for Approval.

The Court orders the following:

- Plaintiffs' motion for class certification (Dkt. No. 103) and the hearing scheduled for September 26, 2016, on this motion are VACATED. Plaintiffs may file another

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motion for class certification no later than 10 days after the Court issues a ruling on the Motion for Approval.

- Defendants must file their opposition no later than 10 days after Plaintiffs have filed their motion for class certification.
- Plaintiffs may then file their reply no later than 7 days after Defendants have filed their opposition.
- Defendants' motion to strike (Dkt. No. 123) and the hearing on this motion scheduled for September 26, 2016 are VACATED. If Defendants are still convinced that they need to bring this motion, then they may do so once Plaintiffs file their motion for class certification.

DISPOSITION

The Court VACATES Plaintiffs' motion for class certification (Dkt. No. 103) and Defendants' motion to strike (Dkt. No. 123) and VACATES the hearing scheduled for both of these motions on September 26, 2016.

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